

**MEMO ENDORSED**



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street, 3rd floor  
New York, New York 10007*

May 3, 2021

The Honorable Ona T. Wang  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**SO ORDERED:**

Application GRANTED.

A handwritten signature in blue ink, appearing to be "Ona T. Wang".

**Ona T. Wang** 5/11/21  
United States Magistrate Judge

Re: *National Immigrant Justice Center, et al. v. Department of  
Homeland Security, et al.,  
No. 19 Civ. 11131 (OTW)*

Dear Judge Wang:

We write respectfully on behalf of the parties in the above-referenced Freedom of Information Act ("FOIA") matter, pursuant to the Court's Order dated February 23, 2021 (ECF No. 39), to provide a joint status report.

Per the February 23, 2021 Order, the Government has continued to make one release of documents responsive to the FOIA requests at issue per month. In February 2021, the agency reviewed approximately 523 pages, determined that 35 pages were non-responsive or duplicative, released in whole or in part 443 pages, and withheld in full 45 pages. In March 2021, the agency reviewed approximately 515 pages, determined that 271 pages were non-responsive or duplicative, released in whole or in part 225 pages, withheld in full 16 pages, and referred three pages to another agency for consultation. In April 2021, the agency reviewed approximately 500 pages, determined that 231 pages were non-responsive or duplicative, released in whole or in part 245 pages, and withheld in full 24 pages. The agency has completed all of its searches in response to the FOIA request, and there are currently approximately 2,273 additional potentially responsive pages in the agency's FOIA Express system for review and processing in connection with this matter.

In addition, the parties have conferred regarding possible ways to streamline the agency's review and processing of the remaining potentially responsive pages, as well as regarding certain follow-up questions posed by Plaintiffs. The parties expect to continue their discussions on these issues in the coming weeks. In the meantime, the parties jointly and respectfully request the Court's endorsement of the following agreed upon proposals:

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- The Government will continue to make one release of records responsive to the FOIA requests by the end of each month.
- No later than July 9, 2021, the parties will provide a further status update to the Court, in which the Government will report on Defendants' progress in addressing Plaintiffs' FOIA requests; the parties anticipate either requesting the Court's endorsement of further agreed deadlines, or asking that the Court schedule a conference to resolve disputes between the parties. The parties reserve all of their rights as to potential disputes concerning the production.

We thank the Court for its consideration of this matter.

Respectfully,

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United States Attorney

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cc (via ECF): All counsel of record